

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF WORKERS' COMPENSATION

MEDICAL UNIT

P.O. Box 8888

San Francisco, CA 94128-8888



To: Injured Worker

This list of Qualified Medical Evaluator (QME) physicians is being issued to you because a "Request for a Qualified Medical Evaluator" form was received in our office. These physicians were randomly selected by a computer. The QME you choose will evaluate or make determinations on medical questions about your work injury. For injuries prior to 1/1/94, the QME performs the final permanent disability evaluation once your treating physician determines that your condition is permanent and stationary. For injuries as of 1/1/94, a QME is only used when there is a dispute over the primary treating physician's report.

Please take the following steps:

1) Select one QME physician off the list

Your claims administrator (or if none, employer) should not select the QME or influence you on which physician to pick. You may consult with an Information and Assistance Officer in your area by calling 1-800-573-4636 before making a selection. You may also consult with an attorney. If you decide to become represented by an attorney, you should not select a QME from the list. For injuries on or after 1/1/94, if your primary treating physician is listed on your panel you must call the Division of Worker's Compensation (DWC) Medical Unit for a replacement since your primary treating physician(s) cannot also be your QME.

2) Call the QME physician's office to make your appointment.

Make it clear to the QME's office staff that you are calling for a "QME exam." The person at the doctor's office will ask you for information that you will find on the upper right corner of the attached form. If the doctor you choose from your panel cannot arrange an appointment for evaluation with you within 60 days of your call, the QME's office may not offer you a substitute QME who is not on the list. You may:

- a) select one of the other QMEs on the list;
- b) call the DWC at 1-800-794-6900 to request that the unavailable QME on the list be replaced; or
- c) agree to wait over the 60-day period to see any of the QMEs listed on your panel.

3) Review of medical records

You should be provided with copies of medical and non-medical records at least 20 days before information is to be provided to the QME. Within 10 days of receipt of the records, you may object to any non-medical records that might be sent to the QME for review.

If you plan to provide information to the QME, you should provide a copy of any medical or non-medical records you will be providing the QME to the claims administrator (or employer) at least 20 days before information is to be provided to the QME. Failure to send a copy of all records being sent to the QME may adversely affect your claim.

Your claims administrator (or employer) has 10 days after receiving the information to object to non-medical records. Copies of non-medical records objected to will not be provided to the QME but may be seen by the workers' compensation judge in your case, or by the QME at a later date if your claims administrator contests medical issues in your claim.

4) Your employer will pay for the exam

Your claims administrator (or employer) will pay for the exam, any translator services you need for the exam and for any reasonable cost to get you to and from the QME evaluation. You will also be paid disability benefits for each day of the evaluation, if you lose wages.

5) If the DWC does not provide you with a panel of QMEs within 15 working days of receipt of your request, you may choose any QME (with the proper specialty for your injury).

If the difference between "Date Request Received" and "Date of Issue" on your panel shows more than 15 working days, you may choose to go to one of the QMEs on your panel; go to any Information and Assistance Office for assistance in choosing a QME; or call DWC at 1-800-794-6900 to request a new panel of QMEs with the specialty you need for your evaluation.

6) A QME may not offer or solicit you to become your treating physician. However, you have the right to request the QME to become your treating physician. You may wish to consult with an Information and Assistance officer prior to this decision.

7) For additional information contact DWC and request its pamphlets "Your Medical Evaluation" and "Fact Sheet for Injured Workers".

8) If the QME does not send the report on time, contact the DWC.

- (a) 30 days of your appointment - if date of injury is on or after 1/1/94 or,
- (b) 45 days of your appointment - if date of injury is between 1/1/91 and 12/31/93.

FORM 108, Rev. 4/14/00

Authority cited: Sections 133, 139, 139.2, 4061 and 4062, Labor Code.
Reference: Sections 139.2, 4061, 4061.5, 4062, Labor Code.